

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>JOSE RAMON MARTINEZ,</b>	)	
	)	
Petitioner/Defendant,	)	<b>CIVIL NO. 04-4159</b>
	)	
vs.	)	<b>CR. NO. 00-40093</b>
	)	
<b>UNITED STATES of AMERICA,</b>	)	
	)	
Respondent/Plaintiff.	)	

**ORDER**

**FOREMAN, District Judge:**

Before the Court is petitioner's notice of appeal (Doc. 25) from the Judgment of the Court denying petitioner's motion under 28 U.S.C. § 2255 (Docs. 23,24).

Petitioner may not proceed on appeal without a certificate of appealability, *see 28 U.S.C. § 2253(c)(1)(B)*, which may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." *28 U.S.C. § 2253(c)(2)*. Further, "[t]he certificate of appealability under paragraph (1) shall indicate which specific issue or issues satisfy the showing required by paragraph (2)." *28 U.S.C. § 2253(c)(3)*.

Petitioner has not specified any grounds for this Court to issue a certificate of appealability, nor has he sought the issuance of the certificate. Accordingly, the Court **GRANTS** petitioner leave to file an appropriately specific and supported motion for issuance of a certificate of appealability within fourteen (14) days of the date of this Order. Failure to do so will result in an Order of this Court summarily declining to issue a certificate of appealability.

**IT IS SO ORDERED.**

**DATED: January 27, 2006.**

\_\_\_\_\_  
*s/ James L. Foreman*  
**DISTRICT JUDGE**